

Rec'd PCT/PTO 27 JUL 2005 #5

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Jens Ponikau et al.

Art Unit : Unknown

Serial No. : 10/505,379

Examiner : Unknown

Filed : August 20, 2004

Title : FUNGAL ANTIGENS AND EOSINOPHIL ACTIVITY

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION BY THE INVENTOR

As a below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled FUNGAL ANTIGENS AND EOSINOPHIL ACTIVITY, the specification of which was filed on August 20, 2004, as Application Serial No. 10/505,379, and identified as Attorney Docket No. 07039-404US1.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/447,480	13 February 2003	Abandoned
60/361,211	1 March 2002	Abandoned

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 467325693 US

JULY 27, 2005
Date of Deposit

Applicant : Jens Pönikau et al.
Serial No. : 10/505,379
Filed : August 20, 2004
Page : 2 of 3

10/505,379
Attorney's Docket No.: 07039-404US1

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Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
none		

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
	PCT/US03/06380	28 February 2003	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: JENS PONIKAU

1-20
Inventor's signature: Jens Ponikau

Date: 11-30-04

Residence: 107 Sixth Avenue S.E., Rochester, MN 55904

Citizen of: Germany

Post Office Address: 107 Sixth Avenue S.E., Rochester, MN 55904


MN

Applicant : Jens Ponikau et al.
Serial No. : 10/505,379
Filed : August 20, 2004
Page : 3 of 3

10/505,379
Attorney's Docket No.: 07039-404US1

REC'D PCT/PTO 27 JUL 2005

Full name of inventor: HIROHITO KITA

2-8 Inventor's signature: 

Date: 1/18/05


Residence: 1714 Kings Run Drive N.W., Rochester, MN 55901

Citizen of: Japan

Post Office Address: 1714 Kings Run Drive N.W., Rochester, MN 55901

MN

Full name of inventor: DAVID A. SHERRIS

2-8 Inventor's signature: 

Date: 11/19/04

Residence: 51 Nottingham Terrace, Buffalo, NY 14216

Citizen of: United States

Post Office Address: 51 Nottingham Terrace, Buffalo, NY 14216

NY

#5

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POWER OF ATTORNEY BY ASSIGNEE AND ELECTION OF
ASSIGNEE TO CONDUCT PROSECUTION TO EXCLUSION OF INVENTORS

The undersigned, as authorized representative of the assignee of the entire right, title and interest in the above-identified application, hereby appoints

Richard J. Anderson, Reg. No. 36,732
Mark S. Ellinger, Ph.D., Reg. No. 34,812
J. Patrick Finn III, Ph.D., Reg. No. 44,109
Elizabeth N. Kaytor, Ph.D., Reg. No. 53,103
Teresa A. Lavoie, Ph.D., Reg. No. 42,782

Ronald C. Lundquist, Ph.D., Reg. No. 37,875
M. Angela Parsons, Ph.D., Reg. No. 44,282
James A. Rogers, Reg. No. 37,228
Ann S. Viksnins, Reg. No. 37,748
Dorothy P. Whelan, Reg. No. 33,814

as its attorney to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith with full powers of substitution and revocation, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 CFR §3.71 *et seq.* of the Patent Office Rules of Practice.

Ownership is in the assignee by virtue of the assignment document (copy attached). The documents evidencing ownership have been reviewed and to the best of the assignee's knowledge and belief, title is in the assignee.

CERTIFICATE OF MAILING BY EXPRESS MAIL

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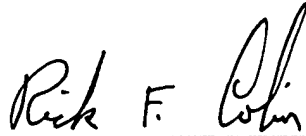
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Serial No. : 10/505,379
Filed : August 20, 2004
Page : 2 of 2

Attorney's Docket No.: 07039-404US1 / MMV-02-022

Please direct all communications regarding the application to the attorney at the address and telephone numbers indicated below.

Mark S. Ellinger, Ph.D.
FISH & RICHARDSON P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

Signature: 

Typed name: Rick F. Colvin

Title: Assistant Treasurer

Assignee: Mayo Foundation for Medical Education and Research

ASSIGNMENT

For valuable consideration, we, Jens Ponikau, of 107 Sixth Avenue S.E., Rochester, MN 55904; Hirohito Kita, of 1714 Kings Run Drive NW, Rochester, MN 55901; and David A. Sherris, of ⁵¹~~15~~ Nottingham Terrace, Buffalo, NY 14216; hereby assign to MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH, a Minnesota corporation, having a place of business at 200 First Street S.W., Rochester, MN 55905, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, entitled FUNGAL ANTIGENS AND EOSINOPHIL ACTIVITY, filed August 20, 2004, and assigned U.S. Serial Number 10/505,379; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

DATE:

12-3-04
JENS PONIKAU

STATE OF

Minnesota

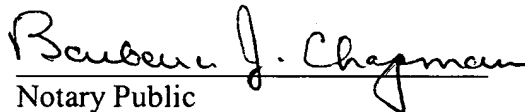
COUNTY OF


Annette

) SS.

On December 3, 2004, before me, the undersigned, a notary public for the State of Minnesota personally appeared JENS PONIKAU appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

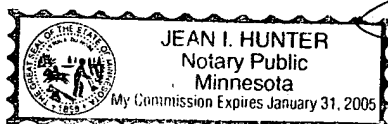
WITNESS my hand and official seal.


Notary Public

DATE: 1/18/05
HIROHITO KITASTATE OF Minnesota)
COUNTY OF Olmsted) SS.

On January 18, 2005, before me, the undersigned, a notary public for the State of Minnesota personally appeared HIROHITO KITA appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.


Notary Public

DATE: 11/19/04

DAVID A. SHERRISSTATE OF NEW YORK)
COUNTY OF ERIE) SS.

On Nov 19, 2004, before me, the undersigned, a notary public for the State of NEW YORK personally appeared DAVID A. SHERRIS appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within Assignment, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the Assignment the person or the entity upon behalf of which the person acted executed the Assignment.

WITNESS my hand and official seal.



Notary Public

Phyllis E. Adams
Notary Public, State of New York
Qualified in Erie County
My Commission Expires April 15, 2006